

1           **OFFICIAL FILING BY FACSIMILE**  
2           **TRANSMISSION ON FEBRUARY 21, 2007 TO**  
3           **FACSIMILE #703 308 5065, FOR OFFICE**  
4           **OF PUBLICATIONS #571 272 4200**

5           Response 39 pages,  
6           Drawings 0 sheets  
7           Terminal Disclaimer 0 sheet.  
8           Exhibits 0 pages  
9           Total Fax pages 39

Our Ref. No. P-1427-001

10          IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

11          In Re Application of:    }  
12          BEIERLE    }  
13          Serial No. 10/669,666    }  
14          Filed: September 23, 2003    }  
15          For: METHOD OF PRODUCING    }  
16          CHARCOAL, CONDITIONED GAS AND                                      }  
17          POTASSIUM FROM BIOMASS    }

Date: February 21, 2007

Group Art Unit: 1764

Examiner: Jennifer A. Leung

18          AMENDMENT AND RESPONSE AFTER PAYMENT OF ISSUANCE FEE TO  
19          OFFICE OF PUBLICATION RE: INCONSISTENCY WITH SPECIFICATION

20          Hon. Commissioner of Patents and Trademarks  
21          Washington, D.C. 20231

22          Dear Commissioner:

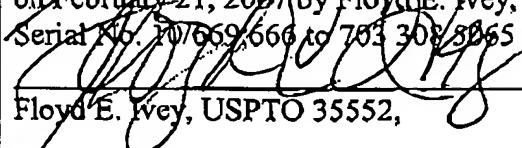
23          In response to the Notice of Drawing Inconsistency with Specification from the  
24          Office of Publications dated January 31, 2007, please consider the following:

25          Response is Timely Filed.

26          The applicant respectfully observes that this response is timely filed. However,  
27          the Examiner is hereby authorized to deduct other fees owing from the deposit account of  
28          Lieberl, Ivey & Connor, P.S./Floyd E. Ivey, 35,552, Deposit account No. 50-0607.

29          Certificate of facsimile filing  
30          on February 21, 2007 by Floyd E. Ivey,  
31          Serial No. 10/669,666 to 703 308 5065

Application No. 10/669,666

32            
33          Floyd E. Ivey, USPTO 35552,

1    **I. INTRODUCTORY COMMENTS**

2        **Correction of Inconsistency -** The Office of Publications has Noticed a Drawing  
3        Inconsistency with Specification mailing date January 31, 2007. The Office of  
4        Publications has required that response be made within one month or thirty (30) days,  
5        whichever is longer.

6            Your applicant now responds in accordance with MPEP 714.16(d) which states in  
7        pertinent part:

8

9        **III. AMENDMENTS REQUIRED BY THE OFFICE OF PATENT PUBLICATION**

10

11        37 CFR 1.312, however, does not permit an amendment after the payment of the issue fee without  
12        withdrawal of the application from issue. In order to be able to accept such an amendment as may  
13        be required without having to withdraw an application from issue, effective February 24, 2004,  
14        PUBS has been delegated the authority to waive the requirement of 37 CFR 1.312 and accept an  
15        amendment filed after the payment of the issue fee. Furthermore, these amendments required by  
16        PUBS may be hand delivered to PUBS located at:

17        Office of Patent Publication

18        \*\*>South Tower Building

19        2900 Crystal Drive, Room 8A24<

20        Arlington, VA 22202

21        Applicants may also fax these amendments required by PUBS to (703) 308 5065.

22        Your applicant files by fax to 703-746-4000.

23        **II. NO NEW MATTER ADDED-** Pursuant to 37 CFR 1.125, there is no new matter  
24        added with this amendment to the Specification upon Notice of Drawing Inconsistency  
25        with Specification.

26

27        Certificate of facsimile filing  
28        on February 21, 2007 by Floyd E. Ivey,  
            Serial No. 10/669,666 to 703/308 5065

Application No. 10/669,666

Floyd E. Ivey, USPTO 35552,

1 A markup of the entire Specification, as amended at page 5, is attached. A clean  
2 copy of the entire Specification as amended is provided.  
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27 Certificate of facsimile filing Application No. 10/669,666  
28 on February 21, 2007 by Floyd E. Ivey,  
Serial No. 10/669,666 to 703 308 5065

Floyd E. Ivey, USPTO 35552,

1       **III. Amendment to the Specification.**

2       At page 5 of the application line 19 add the following:

3  
4  
5       Fig. 6 illustrates a detail from Fig. 3 showing the funnel means (200) having a slope,  $\theta$   
6       (210) at the funnel side (220), relative to a vertical, and of the charcoal discharge funnel  
7       means (230) having a slope,  $\theta$  (240) of charcoal discharge funnel slope (240) relative to a  
8       vertical where the slope will be greater than approximately 45 degrees and are preferred  
9       at approximately 60 degrees and showing that both the funnel means (200) and the  
charcoal discharge funnel means (230) are primarily inverted conical in structure.

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1           **IV. Remarks**

2  
3       The Office of Publications has given Notice of Drawing Inconsistency with  
4       Specification. At page 5 of the application in the Brief Description of the Drawings, there  
5       was not reference to Fig. 6. The reference to Fig. 6 has been added commencing at page  
6       5/line 19.

7  
8       With this fax is a Markup of the original application showing where the reference  
9       to Fig. 6 is added at page 5/line 19.

10  
11      With this fax is a Clean Copy of the application with the addition of the reference  
12      to Fig. 6 at page 5/line 19.

13           **SUMMARY OF THE AMENDMENT AND RESPONSE**

14  
15      Your applicant has made a good faith effort to respond to the Notice from the Office of  
16      Publication of January 31, 2007. Your applicant has addressed the inconsistency raised  
17      by the Office of Publications. Your applicant respectfully requests the Office of  
18      Publications to accept the correction and to advance this application to Publication.

20           Respectfully submitted,

21  
22           **FLOYD E. IVEY**

23           Registration No. 35,552

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25           Telephone No. (509) 735-3581

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27      Certificate of facsimile filing  
28      on February 21, 2007 by Floyd E. Ivey,  
          Serial No. 10/669,666 to 702-308-5065

Application No. 10/669,666

Floyd E. Ivey, USPTO 35552,

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3 CERTIFICATE OF TRANSMISSION:  
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5 The undersigned hereby certifies that this correspondence is being facsimile transmitted  
6 to the USPTO, #703 308 5065 on February 19, 2007.  
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8 Signature FLOYD E. IVEY  
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Serial No. 10/669,666 to 703 308 5065.

Application No. 10/669,666

Floyd E. Ivey, USPTO 35552,